

Message

From: Chingcuanco, Leonardo [Chingcuanco.Leonardo@epa.gov]
Sent: 3/31/2017 6:04:40 PM
To: Nelson, Leverett [nelson.leverett@epa.gov]
CC: Kaiser, Steven [kaiser.steven@epa.gov]; Toney, Marcy [toney.marcy@epa.gov]
Subject: FW: USS Lead - Negotiations with PRPs
Attachments: Restrictions on Communicating with Outside Parties Regarding Enforcement Actions.pdf

From: Kaiser, Steven
Sent: Monday, February 13, 2017 11:19 AM
To: Carla Morgan <cmorgan@eastchicago.com>
Cc: Chingcuanco, Leonardo <Chingcuanco.Leonardo@epa.gov>
Subject: USS Lead - Negotiations with PRPs

Dear Carla:

I understand that Mayor Copeland has asked to participate in current negotiations between the federal government, the State of Indiana and potentially responsible parties regarding additional work in Zone 2 and Zone 3 authorized under the Comprehensive Environmental Response, Compensation and Liability Act, better known as CERCLA or Superfund.

On February 9, 2017, I advised you by telephone that the federal government will not be able to accommodate the Mayor's request. EPA guidance, including "Restrictions on Communicating with Outside Parties Regarding Enforcement Actions" (March 8, 2006), limits the participation of non-parties in settlement negotiations. I attach a copy of the 2006 guidance for your review.

I want to assure you that EPA gave due consideration to the Mayor's request. However, the sharing of sensitive information related to these negotiations with a third party could negatively impact the process and seriously hamper the federal government's ability to obtain a prompt and just resolution of this matter.

We will continue to consider the interests of the City and its residents as a paramount concern in the negotiations. If you have any questions or would like to talk further, please do not hesitate to call. I may be reached at (312) 353-3804.

Sincerely,

Steven P. Kaiser
Office of Regional Counsel
United States Environmental Protection Agency
77 West Jackson Boulevard
Chicago, Illinois 60604
(312) 353 - 3804